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 Loveland, Colorado 80537-0599

ATTORNEY DOCKET NO. 10040213-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): Patrick T Petrino, et al.

Serial No.: 10/816636

Examiner:

Filing Date: Apr 1, 2004

Group Art Unit: 1641

Title: Optoelectronic Rapid Diagnostic Test System

COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

This Information Disclosure Statement is submitted:

- (a) ☒ Under 37 CFR 1.97(b).  
 (Within three months of filing national application; or date of entry of national application; or before mailing date of first Office action on the merits; whichever occurs last).
- (b) ☐ Under 37 CFR 1.97(c) together with *either* a:  
☐ Statement under CFR 1.97(e), or  
☐ \$180.00 fee under 37 CFR 1.17(p).  
 (After the CFR 1.97(b) time period, but before a final action or notice of allowance, whichever occurs first).
- (c) ☐ Under 37 CFR 1.97(d) together with: a  
 Statement under 37 CFR 1.97(e), *and*  
 \$180.00 fee as set forth in 37 CFR 1.17(p).  
 (After a final action or notice of allowance, whichever occurs first, but before payment of the issue fee).

☐ **STATEMENT UNDER 37 CFR 1.97(e)**

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or
- ☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

☐ **PRIOR APPLICATIONS**

References identified with an asterisk (\*) in the enclosed PTO Form 1449, were disclosed in prior Patent Application No. \_\_\_\_\_, filed \_\_\_\_\_, now U.S. Patent No. \_\_\_\_\_, and, as such, copies thereof are not included pursuant to the provisions of 37 CFR 1.98(d).

☐ **FOREIGN LANGUAGE DOCUMENTS**

A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

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☐ **FEE AUTHORIZATION**

Please charge to Deposit Account 50-1078 the sum of \$0.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

I hereby certify that this correspondence is being deposited with the United States Postal Service as:

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☒ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile: 02 August 2005

Typed Name: Ann Marie Radcliffe

Signature: Ann Marie Radcliffe

Respectfully submitted,

Patrick T Petruno, et al.

By Pamela Lau Kee

Pamela Lau Kee  
Attorney/Agent for Applicant(s)

Reg. No. 36,184

Date: 02 August 2005

Telephone No. 408 553 3059

Form PTO-1449  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)	ATTORNEY DOCKET NO. 10040213-01	SERIAL NO. 10/816636
	APPLICANT Patrick T Petruno, et al.	
	FILING DATE April 1, 2004	GROUP 1641

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	*	DOCUMENT NUMBER	DATE	NAME
	*	US2004/0018637	01/29/04	Alan J. Polito, et al.
	*	US2004/151632	08/05/04	Robert Badley, et al.
	*	US2004/014202	01/22/04	Howard King, et al.
	*	US2002/0146844	10/10/02	Allan D. Pronovost, et al.

## FOREIGN PATENT DOCUMENT

		DOCUMENT NUMBER	DATE	NAME	TRANSLATION	
					YES	NO

## OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)


EXAMINER	DATE CONSIDERED
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\* Copies of these references are not enclosed Pursuant to 37 CFR 1.98(d). (See accompanying IDS)

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